

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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LEOBARDO MARTINEZ, :  
: :  
Plaintiff, : No. 22 Civ. 642 (KPF)  
: :  
-against- :  
: :  
138 LUBE LLC d/b/a POP'S HANDWASH, :  
and MAMADOU CISSE, an individual, :  
: :  
Defendants. :  
----- X

**ORDER OF DISMISSAL WITH PREJUDICE**

KATHERINE POLK FAILLA, District Judge:

1. The Settlement Agreement reached in this matter is fair and reasonable, and adequate to redress Plaintiff's claims under the Fair Labor Standards Act ("FLSA") and New York Labor Law ("NYLL") in this action and to compensate Plaintiff's Counsel on their request for attorneys' fees and costs.

2. At Plaintiff's request, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure and *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), this action is dismissed with prejudice, without costs or attorneys' fees (other than those costs and attorneys' fees specified in the Settlement Agreement).

SO ORDERED.



KATHERINE POLK FAILLA  
United States District Judge

Dated: September 20, 2022

New York, New York